

BERMAN, J.

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

PIXFUSION, LLC,
Plaintiff,

vs.

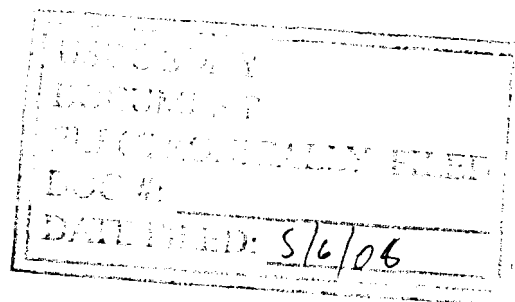
FUNNYBIT STUDIO, LLC
Defendant.

Civil Case No. 1:07-cv-9733-RMB

DISMISSAL

Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, Plaintiff PixFusion LLC, by their attorneys, Day Pitney LLP, voluntarily dismisses with prejudice the current action against Defendant FunnyBit Studio, LLC, pursuant to a Settlement and License Agreement.

Defendant FunnyBit has not served or filed an answer to the complaint, which is due no later than Monday, May 5, 2008. In addition, Defendant FunnyBit has not served or filed a motion for summary judgment. Therefore, since this Dismissal is being filed prior to those acts, under Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, Plaintiff PixFusion can dismiss this action.



Dated this 2nd day of May, 2008.

DAY PITNEY, LLP

By: 

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Attorney for Plaintiff

PixFusion, LLC

clerk to close this case
SO ORDERED:

RMB

Honorable Richard M. Berman
United States District Judge

5/6/08

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